

**EXHIBIT B - CONDITIONS OF APPROVAL
D010041P 7 Tracks Realty Trust**

Approved Development

1. This approval authorizes a 5,000 square-foot two-story single family residence with attached garage.

Conditions required to be completed at the time of application for construction permits

Site Development

2. Plans submitted shall show all development consistent with the approved site plan, floor plan, and architectural elevations.
3. W-2. The applicant shall submit landscape, irrigation, landscape maintenance plans and specifications to the Environmental Coordinator. The landscape plan shall be prepared as provided in Section 23.04.186 of the San Luis Obispo County Coastal Zone Land Use Ordinance. All plants utilized shall be drought tolerant. Drip-line irrigation shall be used for all landscaped areas (except turf areas) installed for new construction. The drip irrigation system must include an automatic rain shut-off device, soil moisture sensors, and an operating manual to instruct the building occupant on how to use and maintain the water conservation hardware. The maximum amount of turf (lawn) area may not exceed 400 square feet.
4. VS-1. The applicant shall provide an exterior lighting plan. The plan shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from adjacent residences. All lighting poles, fixtures, and hoods shall be dark colored. This plan shall be implemented prior to final inspection or occupancy, whichever occurs first.

Fire Safety

5. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Provide the County Department of Planning and Building with a fire safety plan approved by CalFire.

Public Works

6. The applicant shall submit a drainage, sedimentation, and erosion control plan for review and approval by the Department of Public Works.

Services

7. The applicant shall provide a letter from Golden State Water Company stating they are willing and able to service (water) the property.
8. The applicant shall submit evidence that a septic system, adequate to serve the proposal, can be installed on the site.

Geology and Soils

9. GS-1. **Prior to issuance of grading and construction permits**, at least two Low Impact Development design features shall be incorporated into the project design to reduce impacts associated with increased impervious areas on the site.

Biological Resources

10. BR-1 Prior to issuance of construction permits, the applicant shall provide proof that issuance of an incidental take permit pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973 (16 U.S.C. 1531-1544, 87 Stat. 884) as amended (Act), from the U.S. Fish and Wildlife Service has occurred.
11. BR-2 Prior to site disturbance, pre-construction and construction monitoring surveys for Morro shoulderband snail will be conducted within the impact area.

Conditions to be completed prior to issuance of a construction permit

Water Resources

12. W-1 Prior to issuance of building permits, the applicant shall submit to the Department of Planning and Building for review and approval evidence to the satisfaction of the Planning Director that the applicant has retrofitted enough existing homes and businesses to save twice the amount of water the new residence will use (consistent with Title 19).

Biological Resources

13. BR-4. **Prior to site disturbance**, a continuous silt fence will be installed to establish the limits of the construction area. The fence will delineate the work zone on site from habitat on the adjacent parcel in order to serve as passive barrier to potential travel by any Morro shoulderband snails that may be present on the offsite parcel into the work zone. The fence will remain in place throughout the duration of the project.
14. BR-5. Prior to site disturbance, the applicant shall demonstrate that the development and presentation of a contractor and employee training program for Morro shoulderband snail has been completed.
15. BR-6. Prior to issuance of construction permits, preservation in perpetuity of 3.82 acres of coastal dune scrub and maritime chaparral habitats occupied by Morro shoulderband snail in an easement in a form acceptable to the U.S. Fish and Wildlife Service and County Council (and may be a combination of easements) that will preclude any use not consistent with resource management. A gazebo not exceeding 120 square feet will be allowed within the easement area, in a location to be approved by the Department of Planning and Building.

Fees

16. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.

Architectural Control Committee

17. **Prior to issuance of a construction permit**, the applicant shall provide evidence to the Planning Department certifying that the Architectural Control Committee for Cabrillo Estates has reviewed and approved plans and specifications (unless the Architectural Control Committee does not exist).

Conditions to be completed during project construction

Biological Resources

18. BR-3. **During all project related construction activities**, all identified individuals of Morro shoulderband snail will be relocated, by an individual in possession of a current valid recovery permit for the species into the conservation easement area, out of harm's way.

Building Height

19. The maximum height of the project is 15 feet (as measured from the highest point of the lot).
- a. **Prior to any site disturbance**, a licensed surveyor or civil engineer shall establish the highest point of the lot and set a reference point (benchmark).
 - b. **Prior to approval of the foundation inspection**, the benchmark shall be inspected by a building inspector prior to pouring footings or retaining walls, as an added precaution.
 - c. **Prior to approval of the roof nailing inspection**, the applicant shall provide the building inspector with documentation that gives the height reference, the allowable height and the actual height of the structure. This certification shall be prepared by a licensed surveyor or civil engineer.

Conditions to be completed prior to occupancy or final building inspection /establishment of the use

Fire Safety

20. The applicant shall obtain final inspection and approval from CalFire of all required fire/life safety measures.

Driveway

21. **Prior to issuance of occupancy permit**, a concrete driveway measuring at least 9 feet in width and at least 3-1/2 inches thick extending from a concrete approach apron, shall be built in accordance with County Standard Improvement Specifications and Drawings, to the garage door.

Development Review Inspection

22. The applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

Biological Resources

23. BR-7. Prior to final building inspection, the applicant shall complete the enhancement of 0.24 acre of disturbed coastal dune scrub within the conservation easement to increase its value and function for Morro shoulderband snail.
24. BR-8. Prior to final building inspection, post-construction monitoring and maintenance of the habitat enhancement activities within conservation easement area for a period of four years to ensure its success. A Letter of Credit (with the US fish and Wildlife Service) in the amount of \$16,740 will be established to ensure that adequate funding is available to implement all of the minimization and mitigation measures contained in the plan.

Water Resources

25. W-3 Prior to final building inspection, landscaping shall be installed or bonded for to ensure the implementation of the landscaping consistent with the approved landscaping plan.

26. **W-4 Prior to final inspection or occupancy**, the following measures shall be applied to the proposed turf areas:
- a. To maximize drought-tolerance and minimize water usage, warm season grasses (excludes bermuda grass) such as buffalo grass, shall be used;
 - b. A computerized irrigation controller shall be installed that can estimate cumulative evapo-transpiration losses to establish the most efficient and effective watering regimes;
 - c. To minimize establishment of shallow roots, the following shall be avoided on turf areas: close mowing, overwatering, excessive fertilization, soil compaction and accumulation of thatch; and
 - d. Watering times shall be programmed for longer and less frequently rather than for short periods and more frequently.
27. **W-5 Prior to final building inspection**, one of the following shall be installed as a part of the water supply system: 1) A "Point-of-use" supplemental water heater system in all bathrooms and kitchen, or 2) a circulating hot water system.

On-going conditions of approval (valid for the life of the project)

28. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 23.02.042 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
29. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Land Use Ordinance.